Entered 12/13/07 19:43:59 Desc Main Case 07-23430 Doc 1 Filed 12/13/07 Document Page 1 of 41

	States Bankruptcy Co		Voluntary Petition		
Northern Dis	trict of Illinois Eastern	Division			
Name of Debtor (if individual, enter Last, First, MAMAYA, Ces	,	Name of Joint Debtor (Spouse) (Last, Fin	st, Middle) va, Jovanna,		
All Other Names used by the Debtor in the last 8 and trade names):	3 years; (include married, maiden	All Other Names used by the Joint Debt maiden and trade names): FKA Jovanna Campos	or in the last 8 years; (include married,		
Last four digits of Soc. Sec./Complete EIN or oth state all) ***-**-4205	er Tax I.D. No (if more than one,	Last four digits of Soc. Sec./Complete Ell state all	N or other Tax I.D. No (if more than one,		
Street Address of Debtor (No. & Street, City, and 1541 Glacier Trial	d State):	Street Address of Joint Debtor (No. & Street Address of Joint Debtor (reet, City, and State):		
Carpentersville IL	60110	Carpentersville IL	60110		
County of Residence or of the Principal Place of		County of Residence or of the Principal F	Place of Business: KANE		
Mailing Address of Debtor (if different from street address) Mailing Address of Joint Debtor (if different from street address):					
Location of Principal Assets of Business Debtor	(if different from street address above):				
Type of Debtor (Form of Organization) (Check one box)	Nature of Business (Check one box.)	_ ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` `	der Which the Petition is Filed (Check one box)		
Individual (includes Joint Debtors)	Heath Care Business	Chapter 7	☐ Chapter 15 Petition for Recognition		
Corporation (includes LLC & LLP)	Single Asset Real Estate as defined in 11 U.S.C 101 (51B)	☐ Chapter 9 ☐ Chapter 11	of a Foreign Main Proceeding		
See Exhibit D on page 2 of this form	Railroad	Chapter 12	Chapter 15 Petition for Recognition		
☐ Partnership	Stockbroker Commodity Broker	Chapter 13	of a Foreign Nonmain Proceeding		
Other (If debtor is not one of the above entities, check this box and	Clearing Bank	Nature o	f Debts (Check one Box)		
state type of entity below.)	Other	Debts are primarily consumer	Debts are primarily business		
	Tax-Exempt Entity	debts, defined in 11 U.S.C. § 101(8) as "incurred by an	debts.		
	(Check box, if applicable.) Debtor is a tax-exempt	individual primarily for a			
	organization under Title 26 of the United States Code (the Internal Revenue Code).	personal, family, or household purpose."			
Filing Fee (Ch	eck one box)		apter 11 Debtors		
Filing Fee attached		Check one box ☐ Debtor is a small business debtor as defined in 11 U.S.C. Sec 101(51D)			
		Debtor is not a small business debtor as defined in 11 U.S.C. Sec. 101(51D)			
Filing Fee to be paid in installments (applica signed application for the court's considerati unable to pay fee except in installments. Rul	on certifying that the debtor is	Check if: Debtor's aggregate noncontingent insiders or affliates) are less than	liquidated debts (excluding debts owed to a 2 million.		
Filing Fee wavier requested (applicable to cl attach signed application for the court's cons		Check all applicable boxes: A plan is being filed with this petitic Acceptances of the plan were solic	on.		
		of creditors, in acccordance with 1			
Statistical/Administrative Information	for distribution to unpopured proditions		This space is for court use only		
■ Debtor estimates that funds will be available ■ Debtor estimates that, after any exempt pro funds available for distribution to unsecured	perty is excluded and administrative expenses	s paid, there will be no			
Estimated Number of Creditors					
	200- 1,000- 5,001- 10,0 999 5,000 10,000 25,0		ver 0,000		
\$10,000 to \$10,000 to \$10,000 to \$10,000 to \$10,000 to \$100,000 to		\$1 million to More than	\$100 million		
Estimated Liabilities \$0 to \$50,000 to		\$1 million to More than	\$100 million		
\$50,000 \$100,000	\$1 million	\$100 million			

	Document	Page 2 of 41			
1	Voluntary Petition This page must be completed and filed in every case)	Name of Debtor(s)			
'	This page must be completed and med in every case)	Amaya, Cesar Eduardo Jovanna Amaya			
			Jovanna Amaya		
Land Allera Elle	All Prior Bankruptcy Case Filed Within Last 8		<u> </u>		
Location Where Filed	d:	Case Number:	Date Filed:		
	Pending Bankruptcy Case Filed by any Spouse, Partner, or A	ffilate of this Debtor (if more th	nan one, attach additional sheet)		
Name of Debtor:		Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A		Exhibit B		
To be comple	eted if debtor is required to file periodic reports (e.g.,		Exhibit B lebtor is an individual whose debts are prima		
	nd 10Q with the Securities and Exchange Commission	• •	petitioner named in the foreg the petitioner that (he or she		
-	Section 13 or 15 (d) of the Securities Exchange Act of questing relief under chapter 11.)	chapter 7, 11, 12 or	r 13 of title 11, United Sta	tes Code, and have	
	,		vailable under each such cha		
		342(b).	d to the debtor the notice re	equired by 11 USC §	
Exhibit.	A is attached and made a part of this petition.	/9	s/ Nathan E Curtis		
				Dated: 12/13/2007	
		Nathan E Curt	IS	Dateu. 12/13/2007	
	Exh	ibit C			
Doe	s the debtor own or have possession of any property that poses or is allege	ed to pose a threat of imminent a	and identifiable harm to public health o	or safety?	
Yes, an	d Exhibit C is attached and made a part of this petition.				
No.					
	(To be completed by every individual debtor. If a joint petition is file	ibit D ed. each spouse must complete	and attach a separate Exhibit D.)		
Exhibit	D completed and signed by the debtor is attached and made a part of this p		,		
	joint petition:				
Exhibit [D also completed and signed by the joint debtor is attached and made a pa	rt of this petition.			
	Information Pogardi	ng the Debtor - Venue			
	-	pplicable Box.)	<i>;</i>		
	Debtor has been domiciled or has had a residence, principal pl	ace of business, or principa	assets in this District for 180		
_	days immediately preceding the date of this petition or for a lor	nger part of such 180 days th	han in any other District.		
	There is a hankruntov case concerning debtor's affiliate gener	al nartner, or nartnership ne	anding in this District		
Ц	There is a bankruptcy case concerning debtor's affiliate, gener	ai partiler, or partilership pe	riding in this District.		
	Debtor is a debtor in a foreign proceeding and has its principal				
_	States in this District, or has no principal place of business or a				
	or proceeding [in a federal or state court] in this District, or the relief sought in this District.	interests of the parties will t	be served in regard to the		
	Statement by a Debtor Who Resides		dential Property		
_	•	olicable boxes.			
	Landlord has a judgment against the debtor for possession of following.)	debtor's residence. (If box of	:hecked, complete the		
	(Name of landlord that obtained judgme	int)			
	(Name of landiord that obtained judgme	ait)			
	(Address of Landlord)		_		
	, , ,	ure circumstances under whi	ich the debtor would be		
Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for					
	possession was entered, and		, ,		
	Debtor has included in this petition the deposit with the court of	f any rent that would become	e due during the 30-dav		
	period after the filing of the petition.	,	3 - 2		

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 3 of 41

Voluntary Petition

This page must be completed and filed in every case)

Name of Joint Debtor(s)

(Check only one box.)

Amaya, Cesar Eduardo Jovanna Amaya

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition

is true and correct, that I am the foreign representative of a debtor in a

I request relief in accordance with chapter 15 of title 11, United States Code.

of title 11 specified in this petition. A certified copy of the order granting

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter

Certified copies of the documents required by 11 U.S.C. § 1515 are

foreign proceeding, and that I am authorized to file this petition

recognition of the foreign main proceeding is attached.

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Foreign Representative

Date:

Printed Name of Foreign Representative

/s/ Cesar Eduardo Amaya

Cesar Eduardo Amaya

11/27/2007 Dated:

/s/ Jovanna Amaya

Jovanna Amaya

Dated: 11/27/2007

<< Sign & Date on Those Lines

<< Sign & Date on Those Lines

Signature of Attorney

/s/ Nathan E Curtis

Signature of Attorney for Debtor(s)

Nathan E Curtis

Printed Name of Attorney & Bar Number

Bar No: 6269588

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH) 312.332.6354 (FAX)

Dated: 12/13/2007

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 4 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Bankruptcy Docket #:

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

		Cesar Eduardo Amaya	Here
Dated:	11/27/2007	/s/ Cesar Eduardo Amaya	Sign & Date
I certify ur	nder penalty of perjury that th	ne information provided above is true and correct.	
does r	The United States trustee or bank not apply in this district.	ruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 10	09(h)
	Active military duty in a military of	combat zone.	
partici	- · · · · · · · · · · · · · · · · · · ·	\S 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to person, by telephone, or through the Internet.);	
of real	. , ,	 § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapa ith respect to financial responsibilities.); 	able
by a n	4. I am not required to receive a crenotion for determination by the court.]	dit counseling briefing because of: [Check the applicable statement.] [Must be accompanied	
credit provid deadli period	counseling briefing within the first 30 led the briefing, together with a copy one can be granted only for cause and b. Failure to fulfill these requirements	is stated in your motion, it will send you an order approving your request. You must still obtain days after you file your bankruptcy case and promptly file a certificate from the agency that of any debt management plan developed through the agency. Any extension of the 30-day is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day may result in dismissal of your case. If the court is not satisfied with your reasons for filing your case may be dismissed.	
•	from the time I made my request, and can file my bankruptcy case now. [Mu	bunseling services from an approved agency but was unable to obtain the services during the If the following exigent circumstances merit a temporary waiver of the credit counseling require st be accompanied by a motion for determination by the court.] [Summarize exigent circumstants	ement
perfo a cop	ed States trustee or bankruptcy admin orming a related budget analysis, but I	iling of my bankruptcy case, I received a briefing from a credit counseling agency approved by istrator that outlined the opportunties for available credit counseling and assisted me in do not have a certificate from the agency describing the services provided to me. You must scribing the services provided to you and a copy of any debt repayment plan developed through the services is filed.	file
perfo	ed States trustee or bankruptcy admin rrming a related budget analysis, and	ling of my bankruptcy case, I received a briefing from a credit counseling agency approved by istrator that outlined the opportunties for available credit counseling and assisted me in I have a certificate from the agency describing the services provided to me. Attach a copy of ont plan developed through the agency.	

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 5 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Bankruptcy Docket #:

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

Dated:	11/27/2007 -	Jovanna Amaya	Here
Data di	44/27/2007	/s/ Jovanna Amaya	Sign & Date
I certify u	nder penalty of perjury that t	the information provided above is true and correct.	
does	The United States trustee or ban not apply in this district.	kruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. §	109(h)
	Active military duty in a military	combat zone.	
partic	• •	C. \S 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to n person, by telephone, or through the Internet.);	
of rea		C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable with respect to financial responsibilities.);	pable
by a ı	I am not required to receive a cremotion for determination by the court.	edit counseling briefing because of: [Check the applicable statement.] [Must be accompanie]	d
provi dead perio	it counseling briefing within the first 30 ided the briefing, together with a copy Iline can be granted only for cause an od. Failure to fulfill these requirement:	ons stated in your motion, it will send you an order approving your request. You must still obto days after you file your bankruptcy case and promptly file a certificate from the agency that or of any debt management plan developed through the agency. Any extension of the 30-day in its limited to a maximum of 15 days. A motion for extension must be filed within the 30-day is may result in dismissal of your case. If the court is not satisfied with your reasons for filing redit counseling briefing, your case may be dismissed.	
•	can file my bankruptcy case now. [M	fust be accompanied by a motion for determination by the court.] [Summarize exigent circum:	
day		counseling services from an approved agency but was unable to obtain the services during the not the following exigent circumstances merit a temporary waiver of the credit counseling requ	
perl a co	ted States trustee or bankruptcy admi forming a related budget analysis, but	e filing of my bankruptcy case, I received a briefing from a credit counseling agency approved inistrator that outlined the opportunties for available credit counseling and assisted me in I I do not have a certificate from the agency describing the services provided to me. You must be services provided to you and a copy of any debt repayment plan developed through bankruptcy case is filed.	st file
perf	ted States trustee or bankruptcy admi forming a related budget analysis, and	filing of my bankruptcy case, I received a briefing from a credit counseling agency approved inistrator that outlined the opportunties for available credit counseling and assisted me in d I have a certificate from the agency describing the services provided to me. Attach a copy cannot plan developed through the agency.	

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 6 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Nathan E Curtis

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services, Debtor(s) agrees to pay and I have agreed to accept

Prior to the filing of this Statement, Debtor(s) has paid and I have received

\$3,000

The Filing Fee has been paid.

Balance Due

2. The source of the compensation paid to me was:

Debtor(s)	Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.**

- 4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.
- 6. By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does NOT include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 12/13/2007 /s/ Nathan E Curtis

Attorney Name: Nathan E Curtis
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603
312.332.1800 (PH) 312.332.6354 (FAX)

Form B203 (12/94) Page 1 of 1

Bar No: 6269588

Entered 12/13/07 19:43:59 Case 07-23430 Doc 1 Filed 12/13/07 Desc Main Document Page 7 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
1541 Glacier Trial Carpentersville, IL 60110 (Debtor's Residence)	Fee Simple	J	\$ 206,950	\$ 212,639

Total Market Value of Real Property

(Report also on Summary of Schedules)

\$206,950.00



Document Page 8 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

Type of Property	N O N E	Description and Location of Property		Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or	
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Checking Account with TCF National Bank Savings Account with TCF National Bank	J	\$	250 25
03. Security Deposits with public utilities,	X	Savings Account with For National Balik	J	Ψ	20
telephone companies, landlords and others. 04. Household goods and furnishings, including audio, video, and computer equipment.		Harlem Furn - Household goods Household goods; TV, Flat screen TV, Stereo, DVD Player, VCR/Camcorder, Camera, Computer, Sofa, Loveseat, Coffee and End Tables, Small Appliances, Large Appliances, Washer/Dryer, Microwave, 3 beds and 2 dressers, Tools, Exercise Equipment. Best Buy - electronics Best Buy - electronics	W H	\$ \$ \$	200 2,500 500 500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures	н	\$	200
06. Wearing Apparel			<u> </u>		
07. Furs and jewelry.		Necessary wearing apparel.	Н	\$	800
		Earrings, watch, costume jewelry, wedding bands.	н	\$	200

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

	SCHI	EDULE B - PERSONAL PROPERTY		
Type of Property	N O N E	Description and Location of Property	H W J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
08. Firearms and sports, photographic, and other hobby equipment.	X			
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Term Life Insurance - No Cash Surrender Value.	w	None
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X			
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars				
13. Stocks and interests in incorporated and unincorporated businesses.	X	Pension w/ Employer/Former Employer - 100% Exempt.	H	\$ 85
14. Interest in partnerships or joint ventures.	X			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable	X			
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X			
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights and other intellectual property. Give particulars.	X			
23. Licenses, franchises and other general intangibles.	X			

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

	SCHEDULE B - PERSONAL PROPERTY				
Type of Property	N O N E	Description and Location of Property	C A H	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or	
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	x				
25. Autos, Truck, Trailers and other vehicles and accessories.					
		Honda Financial Services - 2007 Honda Civic SI w/over 3k miles	J	\$ 19,182	
		Honda Financial Services - 2004 Honda Civic w/over 50k miles	Н	\$ 6,500	
		2003 Nissan Pathfinder with dents and dings.	J	\$ 8,500	
26. Boats, motors and accessories.	X				
27. Aircraft and accessories.	X				
28. Office equipment, furnishings, and supplies.	X				
29. Machinery, fixtures, equipment, and supplie used in business.					
20 Inventory		Mechanics tools	Н	\$ 300	
30. Inventory	X				
31. Animals	X				
32. Crops-Growing or Harvested. Give particulars.	X				
33. Farming equipment and implements.	X				
34. Farm supplies, chemicals, and feed.	X				
35. Other personal property of any kind not already listed. Itemize.	X				
		Total (Report also on Summary of Schedules)		\$39,742	

Document Page 11 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

SCHEDULE C - PROPERTY CLAIMED EXEMPT						
Debtor claims the exemptions to which debtor is entitled under: (Check one box) 11 U.S.C. § 522(b)(2) 11 U.S.C. § 522(b)(3)	Check if debtor claims a homestead exemption that exceeds \$125,000.					

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption	
00. Real Property 1541 Glacier Trial Carpentersville, IL 60110 (Debtor's	735 ILCS 5/12-901	\$ 30,000	\$ 206,950	
Residence)			, ,	
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.				
Checking Account with TCF National Bank	735 ILCS 5/12-1001(b)	\$ 250	\$ 250	
Savings Account with TCF National Bank	735 ILCS 5/12-1001(b)	\$ 25	\$ 25	
04. Household goods and furnishings, including audio, video, and computer equipment.				
Harlem Furn - Household goods	735 ILCS 5/12-1001(b)	\$ 200	\$ 200	
Household goods; TV, Flat screen TV, Stereo, DVD Player, VCR/Camcorder, Camera, Computer, Sofa, Loveseat, Coffee and End Tables, Small Appliances, Large Appliances, Washer/Dryer, Microwave, 3 beds and 2 dressers, Tools, Exercise Equipment.	735 ILCS 5/12-1001(b)	\$ 2,500	\$ 2,500	
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.				
Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 200	\$ 200	
06. Wearing Apparel				
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 800	\$ 800	
07. Furs and jewelry.				
Earrings, watch, costume jewelry, wedding bands.	735 ILCS 5/12-1001(b)	\$ 200	\$ 200	
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars				

Document Page 12 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

SCHEDULE C - PROPERTY CLAIMED EXEMPT						
Debtor claims the exemptions to which debtor is entitled under: (Check one box) 11 U.S.C. § 522(b)(2) 11 U.S.C. § 522(b)(3)	Check if debtor claims a homestead exemption that exceeds \$125,000.					

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
Pension w/ Employer/Former Employer - 100% Exempt.	735 ILCS 5/12-1006	\$ 85	\$ 85
25. Autos, Truck, Trailers and other vehicles and accessories.			
Honda Financial Services - 2004 Honda Civic w/over 50k miles	735 ILCS 5/12-1001(b)	\$ 1,125	\$ 6,500
2003 Nissan Pathfinder with dents and dings.	735 ILCS 5/12-1001(c)	\$ 4,800	\$ 8,500
	735 ILCS 5/12-1001(b)	\$ 3,700	,
29. Machinery, fixtures, equipment, and supplie used in business.			
Mechanics tools	735 ILCS 5/12-1001(d)	\$ 300	\$ 300

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 13 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name address, and legal relationship to the minor child of a person described in in Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	Best Buy Bankruptcy Department PO Box 15521 Wilmington DE 19850 Acct No.: 700106210591		w	Dates: 2000 Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 500 Intention: Reaff @ Fair Market Value *Description: Best Buy - electronics				\$ 3,700	\$ 3,200
2	Best Buy Bankruptcy Department PO Box 15521 Wilmington DE 19850 Acct No.: 700119110750		Н	Dates: 2001 Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 500 Intention: Reaff @ Fair Market Value *Description: Best Buy - electronics				\$ 1,600	\$ 1,100
3	Honda Financial Services Bankruptcy Department 2170 Point Blvd ste 100 Elgin IL 60123 Acct No.: 96780744		J	Dates: 2007 Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 19,182 Intention: Reaffirm 524 (c) *Description: Honda Financial Services - 2007 Honda Civic SI w/over 3k miles				\$ 26,628	\$ 7,446
4	Honda Financial Services Attn: Bankruptcy Dept. 2170 Point Blvd ste 100 Elgin IL 60123 Acct No.: 47082788	x	Н	Dates: 2004 Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 6,500 Intention: Reaffirm 524 (c) *Description: Honda Financial Services - 2004 Honda Civic w/over 50k miles				\$ 5,485	\$ 0

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
5 TCF Mortgage Attn: Bankruptcy Dept. 801 Marquete Ave. Minneapolis MN 55402-3475 Acct No.: 920930002063		J	Dates: 2004 Nature of Lien: Mortgage Market Value: \$ 206,950 Intention: Reaffirm 524 (c) *Description: 1541 Glacier Trial Carpentersville, IL 60110 (Debtor's Residence)				\$ 164,265	\$ 0
6 TCF Mortgage Attn: Bankruptcy Dept. 801 Marquete Ave. Minneapolis MN 55402-3475 Acct No.: 920936204077		J	Dates: 2006 Nature of Lien: Mortgage - Second Market Value: \$ 206,950 Intention: Reaffirm 524 (c) *Description: 1541 Glacier Trial Carpentersville, IL 60110 (Debtor's Residence)				\$ 48,374	\$ 0
7 WFFNB/Harlem Furniture Bankruptcy Department PO Box 2974 Mission KS 66201 Acct No.: 585637068873		w	Dates: 2003 Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 200 Intention: Reaff @ Fair Market Value *Description: Harlem Furn - Household goods				\$ 1,200	\$ 1,000

Total

\$ 251,252 \$ 12,746

(Report also on Summary of Schedules.)

(if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)



Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 15 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	ES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance, 11 U.S.C. § 507(a)(10)

^{*} Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya / Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1	ADT Security Services Bankruptcy Department 2250 W. Pinehurst Blvd. Addison IL 60101-6100 Acct #: 6144430		w	Dates: 2007 Reason: Membership/Subscription				\$ 400
2	American Express Bankruptcy Department PO Box 297812 Ft. Lauderdale FL 33329 Acct #: 215908082013327892		w	Dates: 2000 Reason: Credit Card or Credit Use				\$ 6,000
3	Bank of America Bankruptcy Department PO Box 17054 Greenville DE 19884 Acct #: 532902460000		w	Dates: 1999 Reason: Credit Card or Credit Use				\$ 8,500

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 17 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya / Debtors

	J. (C	ПО	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS						
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed		ount of Claim	
Bank of America Bankruptcy Department PO Box 17054 Greenville DE 19884 Acct #: 426429317100		Н	Dates: 1999 Reason: Notice Only				\$	9,000	
6 Chase Bankruptcy Department 800 Brooksedge Blvd. Westerville OH 43081 Acct #: 426690202158		Н	Dates: 2006 Reason: Credit Card or Credit Use				\$	14,000	
6 Chase Bankruptcy Department PO Box 15678 Wilmington DE 19850 Acct #: 410414001620		Н	Dates: 2006 Reason: Credit Card or Credit Use				\$	4,000	
7 Citibank Bankruptcy Department PO Box 6241 Sioux Falls SD 57117 Acct #: 549113032787		W	Dates: 2001 Reason: Credit Card or Credit Use				\$	14,000	
Bankruptcy Department PO Box 6241 Sioux Falls SD 57117 Acct #: 542418066478		Н	Dates: 2004 Reason: Credit Card or Credit Use				\$	1,700	
Bankruptcy Department PO Box 15316 Wilmington DE 19850 Acct #: 601100798062		w	Dates: 1999 Reason: Credit Card or Credit Use				\$	5,200	
Bankruptcy Department PO Box 981400 El Paso TX 79998		w	Dates: 2004 Reason: Credit Card or Credit Use				\$	600	
Acct #: 601859621428 Form B6F (10/06) Page 2 of 3									

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 18 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya / Debtors

Attorney for Debtor: Nathan E Curtis

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State		Unliquidated	Disputed	Amount of Claim
11	GEMB/Sams Club Bankruptcy Department PO Box 981064 El Paso TX 79998 Acct #: 771422038573		w	Dates: 2004 Reason: Credit Card or Credit Use				\$ 750
12	Sallie Mae Bankruptcy Department PO Box 6189 Sioux Falls SD 57117 Acct #: 9136414053		w	Dates: 2002 Reason: Loan or Tuition for Education				\$ 14,000
13	Sears Bankruptcy Department PO Box 6189 Sioux Falls SD 57117 Acct #: 504994012621		Н	Dates: 2004 Reason: Credit Card or Credit Use				\$ 5,100

Total Amount of Unsecured Claims

(Report also on Summary of Schedules)

\$ 83,250.00



Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 19 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

PFG Record #

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 20 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).



Check this box if debtor has no codebtors.

	Name and Address of CoDebtor	Name and Address of the Creditor
1	Jorge Campos 6525 Marble Lane Carpentersville, IL 60110	Honda Financial Services Attn: Bankruptcy Dept. 2170 Point Blvd ste 100 Elgin IL 60123 Account No. 47082788



Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 21 of 41 COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Nathan E Curtis

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child.

Debtor's Marital	DEPENDENTS OF D	EBTOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	Son, Age 3, Son, Age 1.5, , ,	
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Auto Tech	Electronics Tech
Name of Employer:	Brilliance Honda	Baxter Helathcare
Years Employed	4 months	3 years
Employer Address:	210 N Rt. 31	
City, State, Zip	Crystal Lake, IL 60014	Buffalo Grove, IL

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE			
1. Monthly Gross Wages, Salary, and commissions	\$ 3,366.48	\$ 2,945.19			
(Prorate if not paid monthly.) 2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00			
3. SUBTOTAL	\$ 3,366.48	\$ 2,945.19			
4. LESS PAYROLL DEDUCTIONS	_				
a. Payroll Taxes and Social Security	\$ 586.39	\$ 436.97			
b. Insurance	\$ 0.00	\$ 243.45			
c. Union Dues	\$ 0.00	\$ 0.00			
d. Other (Specify) Pension:	\$ 0.00	\$ 0.00			
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00			
Child Support:	\$ 0.00	\$ 0.00			
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00			
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 586.39	\$ 680.42			
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 2,780.09	\$ 2,264.77			
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00			
8. Income from real property	\$ 0.00	\$ 0.00			
9. Interest and dividends	\$ 0.00	\$ 0.00			
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00			
11. Social Security or government assistance (specify)	\$ 0.00	\$ 0.00			
12. Pension or retirement income	\$ 0.00	\$ 0.00			
13. Other monthly income (Specify:) & &	\$ 0.00	\$ 0.00			
Unemployment Income	\$ 0.00	\$ 0.00			
14. SUBTOTAL OF LINES 7 THROUGH 13					
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 2,780.09	\$ 2,264.77			
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromline 15;	\$ 5,044.86				
if there is only one debtor repeat total reported on line 15.)	Report also on Summary of Schedules and it	f applicable on Statistical Summany			

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: None

UNITED PSTATES BARREUPT CY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors Bankruptcy Docket #:

SCHEDULE J - CURR	RENT EXPENSES OF	INDIVIDUAL I	DEBTOR(S)	
Complete this schedule by estimating the average mor payments made bi-weekly, quarterly, semi-annually, or annually.	ually to show monthly rate.	•	•	
Check box if joint petition is filed & debtor's spouse mainta		separate schedule of exper	iditures labeled "Spouse".	
Rent or home mortgage payment (include lot i	·			\$ 1,440.53
a. Real Estate taxes included? [] Yes	[X] No b. Property inst	rance included?	[] Yes [x] No	Ф 250 00
Utilities: a. Electricity and Heating Fuelb. Water, Sewer, Garbage				\$ 250.00 \$ 115.00
c. Cellphone, Internet				\$ -
d. Other Home Phone and Ca	able Television			\$ 232.00
Home Maintenance (repairs and upkeep)				\$ 50.00
Food				\$ 650.00
. Clothing				\$ 125.00
Laundry and Dry Cleaning				\$ 40.00
. Medical and Dental Expenses				\$ 50.00
Transportation (not including car payments)	Gas, Tolls/Parking, Fee	s/Licenses, Repair,	Bus/Train	\$ 500.00
Recreation, Clubs and Entertainment, Newspa	apers, Magazines, etc.			\$ 100.00
Charitable Contributions				\$ 40.00
Insurance (not deducted from wages or includ Insurance or Ponter's	led in home mortgage payme	nts)		\$ -
a. Homeowner's or Renter'sb. Life				\$ -
c. Health				\$ -
d. Auto				\$ 160.00
e. Other				\$ -
2. Taxes (not deducted from wages or included i	in home mortgage payments)			
(Specify) Federal or State Tax Repayme	nts, Real Estate Taxes			\$ -
 Installment Payments: (In Chapter 11, 12, and a. Auto 	d 13 cases, do not list paymer	nts to be included in p	olan)	\$594.42
b. Reaffirmation Payments	1			\$ 15.00
c. Other	\$-			\$-
4. Alimony, maintenance and support paid to oth				\$ -
5. Payments for support of additional dependent	• •			\$ -
6. Regular expenses from operation of business			D 4	\$ -
7. Other: Haircuts, Hygiene, Newspaper/I Eyecare, Meds Postage/Ba	anking GLS Repay:	Babysitting	Pet Care:	# 007.00
\$175.00 \$42.0	0 \$140.00	\$ 310.00	\$ -	\$667.00
 AVERAGE MONTHLY EXPENSES (Total lines 1 the Stastical of Summary of Certain Liabilities and Relate 		edules and if applicable, o	on	\$ 5,028.95
Describe any increase/decrease in expenditur None	res anticipated to occur within	the year following th	e filing this docume	nt:
0. STATEMENT OF MONTHLY NET INCOME	a. Average monthly ir	come from Line 15 c	of Schedule I	\$ 5,044.86
	b. Average monthly e	xpenses from Line 18	3 above	\$ 5,028.95
	c. Monthly net income	-		\$ 15.91
	1. 7. (.) (.)	paid into plan monthl		\$ -

Record #: 320836

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 23 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. Do not include the name or address of a minor child in this statement. Indicate payments, transfers and the like to minor children by stating "a minor child." See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives;

01 INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2007: \$3,366/mo 2006: \$30,000 2005: \$28,000	Employment	
Spouse		
AMOUNT	SOURCE	

Document Page 24 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

	STATEMENT OF FINANCIAL AFFAIRS			
Spouse				
AMOUNT	SOURCE			
2007: \$2,945/mo 2006: \$32,200 2005: \$30,000	employment			
22. INCOME OTHER THAN FROM EN	MPLOYMENT OR OPERATION OF BUSIN	NESS:		
he two years immediately preceding the	y the debtor other than from employment, ne commencement of this case. Give parti ing under chapter 12 or chapter 13 must s ted and a joint petition is not filed.)	culars. If a joint petition is filed, state inc	ome for each	
AMOUNT	SOURCE			
Spouse				
Spouse AMOUNT	SOURCE			
AMOUNT	SOURCE			
03. PAYMENTS TO CREDITORS:				
AMOUNT D3. PAYMENTS TO CREDITORS: Complete a. or b. as appropriate, and o).			
AMOUNT D3. PAYMENTS TO CREDITORS: Complete a. or b. as appropriate, and complete a. or b. as appropriate, and complete a. or b. as appropriate, and complete a. INDIVIDUAL OR JOINT DEBTOR(Sometric property in a constitute or a creditor on account an approved nonprofit budgeting and company in a page of the complete in a c	S) WITH PRIMARILY CONSUMER DEBTO or made within 90 days immediately proce is affected by such transfer is not less tha at of a domestic support obligation or as p reditor counseling agency. (Married debto	reding the commencement of this case it in \$600.00. Indicate with an asterisk (*) art of an alternative repayment schedule ors filing under chapter 12 or chapter 13	f the aggregate any payments under a plan by must include	
AMOUNT D3. PAYMENTS TO CREDITORS: Complete a. or b. as appropriate, and complete a. INDIVIDUAL OR JOINT DEBTOR(Sometric property complete and complet	c. S) WITH PRIMARILY CONSUMER DEBTOR of made within 90 days immediately procestis affected by such transfer is not less that of a domestic support obligation or as possible.	reding the commencement of this case it in \$600.00. Indicate with an asterisk (*) art of an alternative repayment schedule ors filing under chapter 12 or chapter 13	f the aggregate any payments under a plan by must include	

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 25 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

NONE

X

b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor

Dates of Payment/Transfers Amount Paid or Value of

Amount

Transfers

Still Owing

NON

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of Creditor

Dates

Amount Paid or Value of

Amount

& Relationship to Debtor

of Payments

Transfers

Still Owing

Othi Owni

NONE

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND NATURE OF COURT OF AGENCY STATUS OF

CASE NUMBER

PROCEEDING

AND LOCATION

DISPOSITION

NONE



04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person for Whose Benefit Property was Seized Date of Seizure Description and Value of Property

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 26 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

NONE

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller Date of Repossession, Foreclosure Sale, Transfer or Return Description and Value of Property

X

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Assignee Date of Terms of Assignment or Settlement

Assignee

Assignment

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Custodian Name & Location of Court Case Title & Number Date of Order Description and Value of Property

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person or Organization

Relationship to Debtor, If Any Date of Gift Description and Value of Gift

Lady of Mercy

Charitable Organization

Monthly

Monetary Contribution: \$40

4432 N Troy St. Chicago, IL Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 27 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

NONE X

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property

Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars Date of Loss

09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee

Date of Payment, Name of Payer if Other Than Debtor 10/2007

Amount of Money or Description and Value of Property

Law Office of Peter Francis

Geraci

Payment/Value: 3,000.00

55 E. Monroe Street #3400

Chicago, IL60603 MMI

11/2007

\$50.00

9009 West Loop South, 7th Floor, Houston Texas

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee

Date of Payment, Name of Paver if Other Than Debtor Amount of Money or description and Value of Property



Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 28 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

X

10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Describe Property Transferee, Relationship Transferred and Value Received to Debtor Date

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Amount and Date Name of Date(s) of Sale or Trust or of other Device Transfer(s) Closing

11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Type of Account, Last Four Digits Amount and Name and Address of of Account Number, and Amount of Date of Sale or Institution Final Balance Closing

NONE

12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Date of Transfer or Name and Address of Bank Names & Addresses of Those With Description of Surrender, if Any or Other Depository Access to Box or depository Contents

Document Page 29 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

3. SETOFFS:			
J. JLTOTT J.			
ist all setoffs made by any creditor,	including a bank, against a debt or depos	t of the debtor within 90 days preceding	g the commencement
•	nder chapter 12 or chapter 13 must includ	-	spouses whether or
ot a joint petition is filed, unless the	spouses are separated and a joint petition	is not filed.)	
Name and Address	Date	Amount	
of Creditor	of Setoff	of Setoff	
4. LIST ALL PROPERTY HELD FO	R ANOTHER PERSON:		
iet all property owned by another pe	erson that the debtor holds or controls.		
ist all property owned by another po	sison that the debtor holds of controls.		
Name and Address	Description and	Location	
of Owner	Value of Property	of Property	_
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3)		cement of this case, list all premises wh	
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca	(S): years immediately preceding the commen	cement of this case, list all premises wh	
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca	(S): years immediately preceding the commen	cement of this case, list all premises wh	
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3)	(S): years immediately preceding the commen ated prior to the commencement of this ca	cement of this case, list all premises whee. If a joint petition is filed, report also	
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca feither spouse.	(S): years immediately preceding the commenated prior to the commencement of this ca	cement of this case, list all premises where the search of this case, list all premises where the search of	
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca f either spouse. Address	(S): years immediately preceding the commenated prior to the commencement of this ca Name Used	cement of this case, list all premises where the search of this case, list all premises where the search of	
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca f either spouse. Address 6. SPOUSES and FORMER SPOU	(S): years immediately preceding the commenated prior to the commencement of this ca Name Used	cement of this case, list all premises where. If a joint petition is filed, report also be a Dates of Occupancy	any separate address
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca f either spouse. Address 6. SPOUSES and FORMER SPOU	years immediately preceding the commen ated prior to the commencement of this ca Name Used	cement of this case, list all premises where. If a joint petition is filed, report also be a part of the control of the contro	any separate address California, Idaho,
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca f either spouse. Address 6. SPOUSES and FORMER SPOU the debtor resides or resided in a cousiana, Nevada, New Mexico, Pu ommencement of the case, identify	years immediately preceding the commenated prior to the commencement of this ca Name Used SES:	cement of this case, list all premises where. If a joint petition is filed, report also be a part of Dates of Occupancy or territory (including Alaska, Arizona, (in) within eight (8) years immediately present the premises where the case of the c	any separate address California, Idaho, receding the
of Owner 5. PRIOR ADDRESS OF DEBTOR debtor has moved within three (3) ccupied during that period and vaca f either spouse. Address 6. SPOUSES and FORMER SPOU	years immediately preceding the commentated prior to the commencement of this can have been been seen as a superior with the commencement of the commencement of this can have been been seen as a superior with the commencement of the commencement	cement of this case, list all premises where. If a joint petition is filed, report also be a part of Dates of Occupancy or territory (including Alaska, Arizona, (in) within eight (8) years immediately present the premises where the case of the c	any separate address California, Idaho, receding the

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 30 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

X

17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice I aw

NONE

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Environmental Site Name Name and Address Date of Notice and Address of Governmental Unit

NONE

17c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket

Name and Address of Docket Status of Disposition Governmental Unit Number

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 31 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

NONE
Х

18 NATURE, LOCATION AND NAME OF BUSINESS

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six (6) years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six (6) years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

Name & Last Four Digits of Soc. Sec. No./Complete EIN or		Nature of	Beginnir and
Other TaxPayer I.D. No.	Address	Business	Ending Da
b. Identify any business listed in subdivis	sion a., above, that is "single asset rea	l estate" as defined in 11 USC 101.	
Name	Address		
The following questions are to be comp has been, within six years immediately p executive, or owner of more than 5 perce	receding the commencement of this ca		or, managing
partnership, a sole proprietor, or self-em	0 , ,	activity, either full- or part-time.	, ,
		y if the debtor is or has been in business,	as defined above



Dates Services

Rendered

List all bookkeepers and accountants who within two (2) years immediately preceding the filing of this bankruptcy case kept or supervised

Name and Address

the keeping of books of account and records of the debtor.

Document Page 32 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

	STATEMENT OF FIN	
	who within two (2) years immediately preceding I a financial statement of the debtor.	the filing of this bankruptcy case have audited the books of
		Dates Services
Name	Address	Rendered
	ho at the time of the commencement of this cas of account and records are not available, expla	se were in possession of the books of account and records in.
Name	Address	
	2) years immediately preceding the commencer Date Issued	e and trade agencies, to whom a financial statement was nent of this case.
INVENTORIES t the dates of the last two inveed dollar amount and basis of each		person who supervised the taking of each inventory, and Dollar Amount of Inventory
INVENTORIES t the dates of the last two inve	ach inventory.	
INVENTORIES Interpretation of the last two inverses dollar amount and basis of each of the last two inverses of the last	Inventory	Dollar Amount of Inventory (specify cost, market of other basis)
o. INVENTORIES st the dates of the last two inve e dollar amount and basis of ea Date of Inventory	Inventory. Supervisor	Dollar Amount of Inventory (specify cost, market of other basis)
INVENTORIES If the dates of the last two inverse dollar amount and basis of ear Date of Inventory List the name and address of the Date of Inventory	Inventory Supervisor he person having possession of the records of Name and Addresses of Custodian	Dollar Amount of Inventory (specify cost, market of other basis) each of the inventories reported in a., above.
INVENTORIES It the dates of the last two invented dollar amount and basis of each of Inventory List the name and address of the Date of Inventory CURRENT PARTNERS, OF	Inventory Supervisor he person having possession of the records of Name and Addresses of Custodian of Inventory Records	Dollar Amount of Inventory (specify cost, market of other basis) each of the inventories reported in a., above.
. INVENTORIES Interpretation of the last two inverted and basis of each of last two inverted and basis of each of last of last of last the name and address of the last the name and address of the last of l	Inventory Supervisor he person having possession of the records of Name and Addresses of Custodian of Inventory Records FICERS, DIRECTORS AND SHAREHOLDERS	Dollar Amount of Inventory (specify cost, market of other basis) each of the inventories reported in a., above.

Document Page 33 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

mber of the partnership. Percentage of Interest Index each stockholder who directly or indirectly owns, Nature and Percentage of Stock Ownership st of each member of the partnership. Date of Withdrawal
Percentage of Interest Ind each stockholder who directly or indirectly owns, Nature and Percentage of Stock Ownership st of each member of the partnership. Date of
Interest Ind each stockholder who directly or indirectly owns, Nature and Percentage of Stock Ownership st of each member of the partnership. Date of
nd each stockholder who directly or indirectly owns, Nature and Percentage of Stock Ownership st of each member of the partnership. Date of
Nature and Percentage of Stock Ownership st of each member of the partnership.
Stock Ownership st of each member of the partnership. Date of
st of each member of the partnership. Date of
Date of
with the corporation terminated within one (1) year
Date of Termination
PRATION: edited or given to an insider, including compensation in any isite during one year immediately preceding the
Amount of Money or
r

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 34 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF FINANCIAL AFFAIRS

X

24. TAX CONSOLIDATION GROUP:

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six (6) years immediately preceding the commencement of the

Name of Parent Corporation Taxpayer Identification Number (EIN)

NONE

25. PENSION FUNDS:

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six (6) years immediately preceding the commencement of the case.

Name of Pension Fund TaxPayer

Identification Number (EIN)

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 11/27/2007 /s/ Cesar Eduardo Amaya

Cesar Eduardo Amaya

X Date & Sign

Dated: 11/27/2007 /s/ Jovanna Amaya

Jovanna Amaya

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18
U.S.C. Sections 152 and 3571

Document Page 35 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya / Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF INTENTION

- 1. Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
- 2. Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
- Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

Description of Property	Creditor's Name	Intention			
PROPERTY TO BE RETAINED					
Best Buy - electronics	Best Buy Bankruptcy Department PO Box 15521 Wilmington DE 19850	Reaff @ Fair Market Value			
Best Buy - electronics	Best Buy Bankruptcy Department PO Box 15521 Wilmington DE 19850	Reaff @ Fair Market Value			
Honda Financial Services - 2007 Honda Civic SI w/over 3k miles	Honda Financial Services Bankruptcy Department 2170 Point Blvd ste 100 Elgin IL 60123	Reaffirm 524 (c)			
Honda Financial Services - 2004 Honda Civic w/over 50k miles	Honda Financial Services Attn: Bankruptcy Dept. 2170 Point Blvd ste 100 Elgin IL 60123	Reaffirm 524 (c)			
1541 Glacier Trial Carpentersville, IL 60110 (Debtor's Residence)	TCF Mortgage Attn: Bankruptcy Dept. 801 Marquete Ave. Minneapolis MN 55402-3475	Reaffirm 524 (c)			
1541 Glacier Trial Carpentersville, IL 60110 (Debtor's Residence)	TCF Mortgage Attn: Bankruptcy Dept. 801 Marquete Ave. Minneapolis MN 55402-3475	Reaffirm 524 (c)			
Harlem Furn - Household goods	WFFNB/Harlem Furniture Bankruptcy Department PO Box 2974 Mission KS 66201	Reaff @ Fair Market Value			

320836

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 36 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya / Debtors

Attorney for Debtor: Nathan E Curtis

STATEMENT OF INTENTION

- 1. Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
- 2. Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
- 3. Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

Description of Property	Creditor's Name	Intention
-------------------------	-----------------	-----------

*524(c): Debt will be reaffirmed pursuant to Sec. 524(c)

*722: Property is claimed as exempt and will be redeemed pursuant to Sec. 722

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 11/27/2007 /s/ Cesar Eduardo Amaya

Cesar Eduardo Amaya

/s/ Jovanna Amaya

Jovanna Amaya

X Date & Sign

X Date & Sign

Dated:

11/27/2007

^{*} Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

			AMOUNTS SCHEDULED		
Name of Schedule	Attached YES NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$206,950	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$39,742	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$251,252	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$83,250	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$5,045
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$5,029
TOTALS			\$ 246,692 TOTAL ASSETS	\$ 334,502 TOTAL LIABILITIES	

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Nathan E Curtis

STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 14,000.00
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 14,000
State the following:	
Average Income (from Schedule I, Line 16)	\$ 5,044.87
Average Expenses (from Schedule J, Line 18)	\$ 5,028.95
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 6,021.83

State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 12,746.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 83,250.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 95,996.00

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 39 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Nathan E Curtis

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated: 11/27/2007 /s/ Cesar Eduardo Amaya

Cesar Eduardo Amaya

Dated: 11/27/2007 /s/ Jovanna Amaya

Jovanna Amaya

Jovanna Amaya

Jovanna Amaya

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

Case 07-23430 Doc 1 Filed 12/13/07 Entered 12/13/07 19:43:59 Desc Main Document Page 40 of 41

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya, and Jovanna Amaya / Debtors

Attorney for Debtor: Nathan E Curtis

VERIFICATION OF CREDITOR MATRIX

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 11/27/2007 /s/ Cesar Eduardo Amaya

Cesar Eduardo Amaya

X Date & Sign

Dated: 11/27/2007 /s/ Jovanna Amaya

Jovanna Amaya

X Date & Sign

^{*} Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property:

Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

UNITED STATES BANKRU程式 \$1COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Cesar Eduardo Amaya and Jovanna Amaya, Debtors

Attorney for Debtor: Nathan E Curtis

NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ Cesar Eduardo Amaya Dated: 11/27/2007 X Date & Sign Cesar Eduardo Amaya Dated: 11/27/2007 /s/ Jovanna Amaya X Date & Sign Jovanna Amaya Dated: 12/13/2007 /s/ Nathan E Curtis X Date & Sign Bar No: 6269588 Attorney: Nathan E Curtis